

OCT. 30. 2006 12:18PM

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OCT 30 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: RIBI, Hans O.
THOMPSON, Gary M.

Application No.: 10/807,001

Filing Date: 23 March 2005

Title: THERMOPOLYMERIC SWITCHING
MEDIUMS AND TEMPERATURE
MONITORING DEVICES
EMBODYING SUCH MEDIUMS

Art Unit: 2859

Examiner: Smith, R.A.

Confirmation No.: 2828

Customer No.: 25207

Attorney Docket No.: 148511.10200

AMENDMENT

Via Fax: +1.571.273.8300

30 October 2006

Commissioner of Patents
PO Box 1450
Alexandria VA 22313-1450

Sir:

The following is being submitted in response to the Office Action dated 28 June 2006 from Examiner of Art Unit 2859.

Status begins on page 2.

Summary of Fees Due begins on page 3.

Claims Amendments begin on page 4.

Remarks begin on page 13.

I certify that I have transmitted this document via facsimile to the United States Patent and Trademark Office (USPTO) to the central facsimile receiving number of +1.571.273.8300, this 30th day of October, 2006.


Laurence P. Colton

STATUS

The above-captioned patent application is pending.

Claims 1-43 are pending.

Claims 1-43 have been objected to under 35 USC 112.

Claim 1 has been rejected under 35 USC 102 as being anticipated by US Patent No. 5144880 to Schmit (Schmit '880).

Claims 1, 2, 18 and 19 have been rejected under 35 USC 102 as being anticipated by US Patent No. 5323730 to Ou-Yang (Ou-Yang '730) and by US Patent No. 5537950 (Ou-Yang '950).

Claim 2 and 14-17 have been rejected under 35 USC 103 as being obvious over Schmit '880 in view of US Patent No. 5109054 to Smith (Smith '054).

Claims 2-13, 35 and 37 have been rejected under 35 USC 103 as being obvious over Schmit '880 in view of US Patent No. 6239250 to Hefner (Hefner '250).

Claims 14-17 and 38-43 have been rejected under 35 USC 103 as being obvious over Schmit '880 in view of Hefner '250 and US Patent No. 4871811 to Gaku (Gaku '811).

Claims 14-17 and 38-43 rejected under 35 USC 103 as being obvious over Schmit '880 in view of Hefner '250 and US Patent No. 5852083 to Walsh et al. (Walsh '083).

Claims 3-13, 20-30, 35 and 37 have been rejected under 35 USC 103 as being obvious over Ou-Yang '950 in view of Hefner '250.

Claims 14-17 and Claims 31-34 have been rejected under 35 USC 103 as being obvious over Ou-Yang '950 in view of Gaku '811

Claims 14-17 and Claims 31-34 have been rejected under 35 USC 103 as being obvious over Ou-Yang '730 in view of Gaku '811

SUMMARY OF FEES DUE**1. Excess Claims Fee.**

Applicant has paid for forty-three (43) total claims and three (3) independent claims. This Response results in thirty-seven (37) total claims and three (3) independent claims and no excess claims fee is due.

2. Extension of Time.

A separate one-month Petition for an Extension of Time to respond to the Office Action up to and including today, 30 October 2006, is enclosed, along with the petition fee of \$120.00 for a large entity.